

PART 25—COMPENSATION FOR DISABILITY AND DEATH OF NON-CITIZEN FEDERAL EMPLOYEES OUTSIDE THE UNITED STATES

Subpart A—General Provisions

Sec.

- 25.1 General statement.
- 25.2 General adoption of local law.
- 25.3 General provisions relating to special schedule.
- 25.4 Authority to settle and pay claims.
- 25.5 Applicable criteria.
- 25.6 Third and fourth country nationals.
- 25.7 Non-citizen residents of possessions.

Subpart B—Special Schedule of Compensation

- 25.11 Compensation for disability.
- 25.12 Compensation for death.
- 25.13 General provisions.

Subpart C—Extensions of Special Schedule of Compensation

- 25.21 Republic of the Philippines.
- 25.22 Australia.
- 25.23—25.24 [Reserved]
- 25.25 Republic of Korea.
- 25.26 Japanese seamen.
- 25.27 Territory of Guam (nonresident aliens).

AUTHORITY: Sec. 32, 39 Stat. 749, as amended; (5 U.S.C. 8145, 8149); 1946 Reorg. Plan No. 2, sec. 3, 3 CFR 1943-1948 Comp., p. 1064; 60 Stat. 1095; 1950 Reorg. Plan No. 19, sec. 1, 3 CFR 1949-1953 Comp., p. 1010; 64 Stat. 1271, unless otherwise noted.

SOURCE: 40 FR 6891, Feb. 14, 1975, unless otherwise noted.

Subpart A—General Provisions

§ 25.1 General statement.

The provisions of this part shall apply in respect to compensation, under the Federal Employees' Compensation Act, payable only to employees of the United States who are neither citizens nor residents of the United States, any territory, or Canada, or payable to any dependents of such employees. It has previously been determined, pursuant to 5 U.S.C. 8137, that the amount of compensation, as provided under such Act, is substantially disproportionate to the compensation for disability or death which is payable in similar cases under local law, regulation, custom, or otherwise, in areas

outside the United States, any territory, or Canada. Therefore, in respect to cases of such employees whose injury (or injury resulting in death) has occurred subsequent to December 7, 1941, or may occur, the following provisions shall be applicable.

§ 25.2 General adoption of local law.

(a) Pursuant to the provisions of 5 U.S.C. 8137, the benefit features of local workers' compensation laws, or provisions in the nature of workers' compensation, in effect in the areas referred to in § 25.1, shall, effective as of December 7, 1941, by adoption and adaptation, as recognized by the Director, Office of Workers' Compensation Programs, apply in the cases of the employees specified in § 25.1: *Provided, however,* That there is not established and promulgated under this part, for the particular locality, or for a class of employees in the particular locality, a special schedule of compensation for injury or death.

(b) The benefit provisions as thus adopted or adapted are those dealing with the money payments for injury and death (including provisions dealing with medical, surgical, hospital and similar treatment and care), as well as those dealing with services and purposes forming an integral part of the local plan, provided they are of a kind or character similar to services and purposes authorized by the Federal Employees' Compensation Act. Procedural provisions, designations of classes of beneficiaries in death cases, limitations (except those affecting amounts of benefit payments), and any other provisions not directly affecting the amounts of the benefit payments, in such local plans, shall not apply, but in lieu thereof the pertinent provisions of the Federal Employees' Compensation Act shall apply, unless modified by further specification in this section. However, the Director may at any time modify, limit or redesignate the class or classes of beneficiaries entitled to death benefits, including the designation of persons, representatives, or groups entitled to payment under local statute or custom whether or not included in the classes of beneficiaries otherwise specified by this subchapter.